



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

August 28, 1995

Ms. Christine T. Rodriguez
Staff Attorney
Legal and Compliance, MC110-1A
Texas Department of Insurance
P.O. Box 149104
Austin, Texas 78714-9104

OR95-894

Dear Ms. Rodriguez:

You ask whether certain information is subject to required public disclosure under the Texas Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 34849.

The Texas Department of Insurance (the "department") received a request for a legal opinion, dated February 17, 1995, regarding third party recommendations in insurance advertising. You assert that the department may withhold the requested opinion pursuant to sections 552.107(1) and 552.111 of the Government Code.

Section 552.107(1) applies to information that reveals attorney advice and opinion, or client confidences. *See* Open Records Decision No. 574 (1990). The requested document contains attorney advice and opinion. Accordingly, the department may withhold the requested document in its entirety from required public disclosure pursuant to section 552.107(1) of the Government Code.¹

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination under section 552.301 regarding any other records.

¹Having concluded that the department may withhold the requested information based on section 552.107(1), we need not address your section 552.111 claim at this time.

If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in black ink, reading "Kay Guajardo". The signature is written in a cursive, flowing style.

Kay Guajardo
Assistant Attorney General
Open Government Section

KHG/rho

Ref.: ID# 34849

Enclosure: Submitted document

cc: Mr. T. Alan Harris
Liddell, Sapp, Zivley, Hil & LaBoon, L.L.P.
3400 Texas Commerce Tower
600 Travis
Houston, Texas 77002-3095
(w/o enclosure)